

ORIGINAL



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Margalie Roman Salas
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Federal Communications Commission
445 12th St. S.W.
Room TW-B204
Washington, D.C. 20554

This letter encompasses our Comments on the Notice of Proposed Rule Making, WT Docket No. 99-366, RM-8267, adopted December 28, 1999, regarding rules to authorize the use of 406.025 MHz for Personal Locator Beacons (PLB). You specifically requested comments on Part III, Discussions, paragraphs 7 to 10. Our comments are found below listed by paragraph.

Paragraph 7; License Requirement

The State of Oregon is prepared to manage a PLB program within its state boundaries. However, we do not currently have single point of contact capability except by telephone. Therefore, we would like to be authorized by the Commission and continue to receive beacon data under current procedures. Oregon currently has MOU agreements with NOAA, the AFRCC and the Coast Guard to coordinate distress alerts.

Paragraph 8

(a) We believe a properly designed PLB Management Program will benefit the victim and the SAR forces employed to respond to the incident. Any state agency with SAR responsibilities should be able to manage a PLB program.

(b) Oregon has been prepared to administer and manage a PLB program since 1995 and we look forward to implementing it.

In this sub-paragraph, you state "*We are particularly interested in comment from individual states regarding this matter because no state has requested state licensing.*" We find this a singularly peculiar statement since Oregon has been trying to get licensing for PLBs since 1995, patterned after the Alaska program. After some difficulty, the FCC approved a partial grant in 1996, but would not allow the tracking frequency of 121.5 MHz to be installed in the device. This essentially defeated the purpose of the PLB program, so we rejected the grant. We continued to try and get licensing, but were told by the FCC that the FAA would not allow sharing the 121.5 MHz frequency with ground-based units. The FAA said that 121.5 MHz was an aviation emergency frequency and it would not approve its use with non-aviation units. Our attempt for licensing ended with the FAA's position on the

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matter. We questioned the FCC as to why the FAA could dictate usage over a frequency and requested the FCC's help in this matter, but no replies were received.

To date, we have not heard that the FAA has changed its attitude towards sharing 121.5 MHz. Since they were able to dictate the conditions of its use in the past, what has changed that would allow this NPRM to pass? We consider this a key point since the FAA was able to stop the entire program in the past to the detriment of the citizens of the State.

(c) PLBs are a SAR incident. Every state has an Agreement between the Governor and the Executive Agent for Inland SAR. This Agreement defines which agencies are points of contact and coordination for SAR issues. PLBs should be included in this Agreement. Details on responsible agencies and actions taken should be included in the MOU each designated state agency has with the Air Force Rescue Coordination Center (AFRCC). This would clearly delineate the actions of each responsible agency. As long as the same agency designated by the State Agreement to work SAR issues also works PLB issues, differences in various state governments will be irrelevant.

Paragraph 9, Mandatory Registration

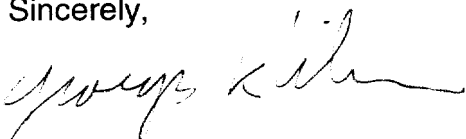
For the PLB program to work, registration of the device should be mandatory. Without owner registration, the point of the PLB system fails. To provide 100% owner registration compliance, we recommend the same system we intended for the state PLB program. Instead of a self-addressed card for the owner to send in, no PLB should be sold without a completed registration card. Before a purchased PLB can be picked up, the owner must hand in a registration card with all the emergency data filled in. Only when this is received could the seller hand over (or mail) the PLB. In other words, a completed registration card is a requirement for purchase. The seller would, in turn, send the forms to NOAA to enter into their database. This ensures 100% compliance.

Paragraph 10, Equipment Authorization

We have no comment on this section.

If you have any questions or return comments, contact me at 503 378 2911 extension 238 or e-mail me at gkleinba@oem.state.or.us.

Sincerely,



Georges Kleinbaum
State SAR Coordinator
Oregon Emergency Management